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June 10, 2004

VIA HAND DELIVERY

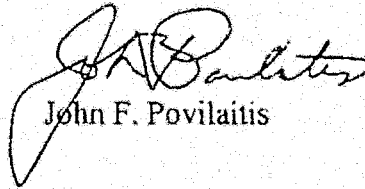
James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

Re: Mary Harvey v. Commonwealth Telephone Company, et al.  
Docket No. C-20026959

Enclosed please find an original and three (3) copies of the Answer and New Matter in the above-referenced proceeding. Copies of the Answer and New Matter have been served on all parties as indicated on the attached Certificate of Service.

Very truly yours,

  
John F. Povilaitis

MAT:ck  
Enclosures

c. Certificate of Service

RJP

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT  
FOLDER

Mary Harvey, et al.

COMPLAINANTS

v.

Docket No. C-20026959

Commonwealth Telephone Company, et al.

RESPONDENTS

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ANSWER AND NEW MATTER  
OF QWEST COMMUNICATIONS CORPORATION  
TO THE COMPLAINT OF MARY HARVEY

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, Qwest Communications Corporation ("Qwest" or the "Company"), by and through its counsel John F. Povilaitis, Matthew A. Totino and Ryan, Russell, Ogden & Seltzer, LLP, answers the above-captioned Formal Complaint pursuant to Section 5.61 of this Commission's regulations, 52 Pa. Code § 5.61, as follows:

1. Admitted, based upon information and belief.
2. Admitted. It is specifically admitted that the Formal Complaint Form names Commonwealth Telephone Company ("CTCo") as the utility that the complaint concerns. However, Citizens Communications of New York ("Citizens") and Verizon North Inc. (Verizon North) have subsequently been joined as indispensable parties to the proceeding.
3. For purposes of this Answer, the several sentences of this paragraph have been restated and answered as they appear as follows:

**DOCKETED**  
JUN 14 2004

- 1) **We have an out dated non-toll exchange. We would like to have our local calling area choices changed. At the present, the exchange in Warren Center, PA (570)-395 cannot call any doctor, pharmacy, county office, courthouse or police department without paying a toll. Anyone on a fixed income has a harder time trying to make needed calls to county offices and physicians. We feel the telephone company is not meeting our needs.**

Denied. Qwest is without firsthand information or knowledge sufficient to form a belief as to whether Complainants' local calling area is adequate and "meeting their needs" and requests proof thereof, if relevant, at hearing. To the extent that the above paragraph contains a conclusion of law, no response is required. To the extent that the above paragraph contains a prayer for relief, no response is required.

- 2) **We also have exchanges that are of very little use to us. Most of us don't even know where St Joseph is! I guess it's on the other side of little meadows.**

Denied. Qwest is without firsthand information or knowledge sufficient to form a belief as to allegations regarding the above exchanges and requests proof thereof, if relevant, at hearing.

- 3) **We cannot call our neighbors in Little Meadows. Some (395) actually have Little Meadows addresses and cannot call Little Meadows!**

Denied. Qwest is without firsthand information or knowledge sufficient to form a belief as to allegations relating to the Little Meadows Exchange and requests proof thereof, if relevant, at hearing.

- 4) **We do have a need to call Sayre as the hospital and clinics are the hospital and clinics are there. Towanda is our county seat, yet we cannot call our county offices or court houses.**

Denied. Qwest is without firsthand information or knowledge sufficient to form a belief as to allegations relating to the Sayre and Towanda Exchanges and requests proof thereof, if relevant, at hearing.

- 5) **We would appreciate your help in making the choices of our local non-toll calls more productive to the customers in the Warren Center (570) 395 area. This would also help us keep up with the times by giving us a choice for Internet services. This would keep the price of our Internet services more competitive.**

Denied. To the extent that the above paragraph contains a prayer for relief, no response is required. Qwest is without firsthand information or knowledge sufficient to form a belief as to above allegations regarding Internet service and requests proof thereof, if relevant, at hearing.

4. Denied. The statement contained in this paragraph represents a prayer for relief to which no responsive pleading is required.

#### NEW MATTER

5. Paragraphs 1-4 of this Response are hereby incorporated by reference as if set forth fully herein.

6. On or about November 6, 2003, Complainants filed a Formal Complaint with the Commission against CTCO requesting Extended Area Service ("EAS") from the Warren Exchange to the Towanda, Little Meadows, and Sayre Exchanges.

7. CTCo is the local service provider that serves the Towanda Exchange, Citizens is the local service provider that serves the Little Meadows Exchange, and Verizon North is the local service provider that serves the Sayre Exchange.

8. By Order Dated May 21, 2004, Qwest was joined as an indispensable party to the proceeding along with AT&T Communications of Pennsylvania, MCI WorldCom Network Services, Inc., Sprint Communications Company, LP and Commonwealth Long Distance.

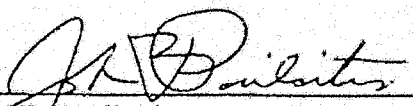
9. As an Interexchange Carrier, Qwest provides toll service to customers in the Towanda, Little Meadows, and Sayre Exchanges. However, Qwest carries only minimal traffic over the relevant routes.

10. In addition, Qwest is not a local service provider in the Warren, Towanda, Little Meadows, or Sayre Exchanges and as such, has no ability to implement EAS along the relevant routes. Therefore, the Company is not liable for the cause of action and cannot implement the relief sought in the Formal Complaint.

WHEREFORE, Qwest Communications Corporation hereby requests that the Complaint of Mary Harvey be dismissed with prejudice relative to Qwest.

Respectfully submitted,

Dated: June 10, 2004

  
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Attorneys for  
Qwest Communications Corporation

BEEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MARY HARVEY,  
COMPLAINANT

v.

COMMONWEALTH TELEPHONE  
COMPANY, ET AL.

RESPONDENT

Docket No. C-20026959

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing documents in accordance with the requirements of 52 Pa. Code § 1.54 et seq. (relating to service by a participant).

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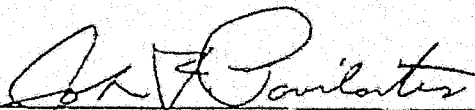
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Date: June 10, 2004



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